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Agenda item 105

# Measures to eliminate international terrorism

## Report of the Sixth Committee

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## I. Introduction

1. The item entitled "Measures to eliminate international terrorism" was included in the provisional agenda of the sixty-seventh session of the General Assembly pursuant to Assembly resolution 66/105 of 9 December 2011.

2. At its 2nd plenary meeting, on 21 September 2012, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 1st, 2nd, 3rd, 23rd, 24th and 25th meetings, on 8 and 9 October and on 6, 9 and 16 November 2012. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/67/SR.1-3 and 23-25).

4. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on technical assistance for implementing international conventions and protocols related to terrorism (A/67/158);

(b) Report of the Secretary-General on measures to eliminate international terrorism (A/67/162 and Add.1).

5. At its 1st meeting, on 8 October, the Sixth Committee established a Working Group with a view to finalizing the draft comprehensive convention on international terrorism and continuing to discuss the item included in its agenda by Assembly resolution 54/110 concerning the question of convening a high-level conference under the auspices of the United Nations. At the same meeting, the Committee also decided to open the Working Group to all States Members of the United Nations and members of the specialized agencies or of the International Atomic Energy Agency.



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The Working Group held three meetings, on 22 and 24 October and on 6 November. It also held informal consultations on 22 and 24 October and on 6 November.

6. At its 23rd meeting, on 6 November, the Committee heard an oral report by the Chair of the Working Group on the work of the Working Group and on the results of the informal consultations held during the current session (see A/C.6/67/SR.23).

## II. Consideration of draft resolution A/C.6/67/L.12

7. At the 24th meeting, on 9 November, the representative of Canada, on behalf of the Bureau, introduced a draft resolution entitled "Measures to eliminate international terrorism" (A/C.6/67/L.12).

8. At its 25th meeting, on 16 November, the Committee adopted draft resolution A/C.6/67/L.12 without a vote (see para. 10).

9. At the same meeting, the representative of the Syrian Arab Republic made a statement in explanation of position after the adoption of the draft resolution (see A/C.6/67/SR.25).

## III. Recommendation of the Sixth Committee

10. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

### Measures to eliminate international terrorism

*The General Assembly*,

*Guided* by the purposes and principles of the Charter of the United Nations,

*Reaffirming*, in all its aspects, the United Nations Global Counter-Terrorism Strategy adopted on 8 September 2006,[1] which enhances the overall framework for the efforts of the international community to effectively counter the scourge of terrorism in all its forms and manifestations, and recalling the first, second and third biennial reviews of the Strategy, on 4 and 5 September 2008, 8 September 2010, and 28 and 29 June 2012 respectively, and the debates that were held on those occasions,[2]

*Recalling* its resolutions 62/272 of 5 September 2008, 64/297 of 8 September 2010 and 66/282 of 29 June 2012,

*Recalling also* its resolution 66/10 of 18 November 2011,

*Recalling further* the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[3]

*Recalling* the United Nations Millennium Declaration,[4]

*Recalling also* the 2005 World Summit Outcome,[5] and reaffirming in particular the section on terrorism,

*Recalling further* the Declaration on Measures to Eliminate International Terrorism, contained in the annex to General Assembly resolution 49/60 of 9 December 1994, and the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism, contained in the annex to Assembly resolution 51/210 of 17 December 1996,

*Recalling* all General Assembly resolutions on measures to eliminate international terrorism and Security Council resolutions on threats to international peace and security caused by terrorist acts,

*Convinced* of the importance of the consideration of measures to eliminate international terrorism by the General Assembly as the universal organ having competence to do so,

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[1] Resolution 60/288.

[2] See *Official Records of the General Assembly, Sixty-second Session, Plenary Meetings*, 117th to 120th meetings (A/62/PV.117-120), and corrigendum; ibid., *Sixty-fourth Session, Plenary Meetings*, 116th and 117th meetings (A/64/PV.116 and 117), and corrigendum; and ibid., *Sixty-sixth Session, Plenary Meetings*, 118th to 120th meetings (A/66/PV.118-120), and corrigendum.

[3] Resolution 50/6.

[4] Resolution 55/2.

[5] Resolution 60/1.

*Deeply disturbed* by the persistence of terrorist acts, which have been carried out worldwide,

*Reaffirming its strong condemnation* of the heinous acts of terrorism that have caused enormous loss of human life, destruction and damage, including those which prompted the adoption of General Assembly resolution 56/1 of 12 September 2001, as well as Security Council resolutions 1368 (2001) of 12 September 2001, 1373 (2001) of 28 September 2001 and 1377 (2001) of 12 November 2001, and those that have occurred since,

*Reaffirming also its strong condemnation* of the atrocious and deliberate attacks that have occurred against United Nations offices in various parts of the world,

*Affirming* that States must ensure that any measure taken to combat terrorism complies with all their obligations under international law and must adopt such measures in accordance with international law, in particular international human rights, refugee and humanitarian law,

*Stressing* the need to strengthen further international cooperation among States and among international organizations and agencies, regional organizations and arrangements and the United Nations in order to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed, in accordance with the principles of the Charter, international law and the relevant international conventions,

*Noting* the role of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism in monitoring the implementation of that resolution, including the taking of the necessary financial, legal and technical measures by States and the ratification or acceptance of the relevant international conventions and protocols,

*Mindful* of the need to enhance the role of the United Nations and the relevant specialized agencies in combating international terrorism and of the proposals of the Secretary-General to enhance the role of the Organization in this respect,

*Mindful also* of the essential need to strengthen international, regional and subregional cooperation aimed at enhancing the national capacity of States to prevent and effectively suppress international terrorism in all its forms and manifestations,

*Reiterating its call upon* States to review urgently the scope of the existing international legal provisions on the prevention, repression and elimination of terrorism in all its forms and manifestations, with the aim of ensuring that there is a comprehensive legal framework covering all aspects of the matter,

*Emphasizing* that tolerance and dialogue among civilizations and the enhancement of interfaith and intercultural understanding are among the most important elements in promoting cooperation and success in combating terrorism, and welcoming the various initiatives to this end,

*Reaffirming* that no terrorist act can be justified in any circumstances,

*Recalling* Security Council resolution 1624 (2005) of 14 September 2005, and bearing in mind that States must ensure that any measure taken to combat terrorism

complies with their obligations under international law, in particular international human rights, refugee and humanitarian law,

*Taking note* of recent developments and initiatives at the international, regional and subregional levels to prevent and suppress international terrorism, including those of the African Union, the Asia-Pacific Economic Cooperation, the Association of Southeast Asian Nations, the Bali Counter-Terrorism Process, the Central American Integration System, the Collective Security Treaty Organization, the Common Market for Eastern and Southern Africa, the Conference on Interaction and Confidence-building Measures in Asia, the Cooperation Council for the Arab States of the Gulf, the Council of Europe, the East African Community, the Economic Community of West African States, the Euro-Mediterranean Partnership, the European Free Trade Association, the European Union, the Global Counterterrorism Forum, the Group of Eight, the Intergovernmental Authority on Development, the International Civil Aviation Organization, the International Maritime Organization, the League of Arab States, the Movement of Non-Aligned Countries, the North Atlantic Treaty Organization, the Organization for Economic Cooperation and Development, the Organization for Security and Cooperation in Europe, the Organization of American States, the Organization of Islamic Cooperation, the Pacific Islands Forum, the Regional Forum of the Association of Southeast Asian Nations, the Shanghai Cooperation Organization, the Southern African Development Community and the World Customs Organization,

*Noting* regional efforts to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed, including through the elaboration of, and adherence to, regional conventions,

*Recalling* its decision in resolutions 54/110 of 9 December 1999, 55/158 of 12 December 2000, 56/88 of 12 December 2001, 57/27 of 19 November 2002, 58/81 of 9 December 2003, 59/46 of 2 December 2004, 60/43 of 8 December 2005, 61/40 of 4 December 2006, 62/71 of 6 December 2007, 63/129 of 11 December 2008, 64/118 of 16 December 2009, 65/34 of 6 December 2010 and 66/105 of 9 December 2011 that the Ad Hoc Committee established by General Assembly resolution 51/210 should address, and keep on its agenda, the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations,

*Recalling also* the Final Document of the Sixteenth Conference of Heads of State or Government of Non-Aligned Countries, adopted in Tehran on 31 August 2012,[6] which reiterated the collective position of the Movement of Non-Aligned Countries on terrorism and reaffirmed its previous initiative calling for an international summit conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations,[7] as well as other relevant initiatives,

*Bearing in mind* its resolutions 57/219 of 18 December 2002, 58/187 of 22 December 2003, 59/191 of 20 December 2004, 60/158 of 16 December 2005, 61/171 of 19 December 2006, 62/159 of 18 December 2007, 63/185 of 18 December

[6] A/67/506-S/2012/752, annex I, paras. 225-226.

[7] See A/53/667-S/1998/1071, annex I, paras. 149-162.

2008, 64/168 of 18 December 2009, 65/221 of 21 December 2010 and 66/171 of 19 December 2011,

*Having examined* the report of the Secretary-General,[8] and the oral report of the Chair of the Working Group established by the Sixth Committee at the sixty-seventh session of the Assembly,[9]

1. *Strongly condemns* all acts, methods and practices of terrorism in all its forms and manifestations as criminal and unjustifiable, wherever and by whomsoever committed;

2. *Calls upon* all Member States, the United Nations and other appropriate international, regional and subregional organizations to implement the United Nations Global Counter-Terrorism Strategy,[1] as well as the resolutions relating to the first, second and third biennial reviews of the Strategy,[10] in all its aspects at the international, regional, subregional and national levels without delay, including by mobilizing resources and expertise;

3. *Recalls* the pivotal role of the General Assembly in following up the implementation and the updating of the Strategy, looks forward to the fourth biennial review and in this regard recalls its invitation to the Secretary-General to contribute to the future deliberations of the Assembly, and requests the Secretary-General when doing so to provide information on relevant activities within the Secretariat to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system;

4. *Reiterates* that criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstances unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or other nature that may be invoked to justify them;

5. *Reiterates its call upon* all States to adopt further measures in accordance with the Charter of the United Nations and the relevant provisions of international law, including international standards of human rights, to prevent terrorism and to strengthen international cooperation in combating terrorism and, to that end, to consider in particular the implementation of the measures set out in paragraphs 3 (a) to (f) of General Assembly resolution 51/210;

6. *Also reiterates its call upon* all States, with the aim of enhancing the efficient implementation of relevant legal instruments, to intensify, as and where appropriate, the exchange of information on facts related to terrorism and, in so doing, to avoid the dissemination of inaccurate or unverified information;

7. *Reiterates its call upon* States to refrain from financing, encouraging, providing training for or otherwise supporting terrorist activities;

8. *Expresses concern* at the increase in incidents of kidnapping and hostage-taking with demands for ransom and/or political concessions by terrorist groups, and expresses the need to address this issue;

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[8] A/67/162 and Add.1.

[9] *Official Records of the General Assembly, Sixty-seventh Session, Sixth Committee*, 23rd meeting (A/C.6/67/SR.23), and corrigendum.

[10] Resolutions 62/272, 64/297 and 66/282.

9. *Urges* States to ensure that their nationals or other persons and entities within their territory that wilfully provide or collect funds for the benefit of persons or entities who commit, or attempt to commit, facilitate or participate in the commission of terrorist acts are punished by penalties consistent with the grave nature of such acts;

10. *Reminds* States of their obligations under relevant international conventions and protocols and Security Council resolutions, including Council resolution 1373 (2001), to ensure that perpetrators of terrorist acts are brought to justice;

11. *Reaffirms* that international cooperation as well as actions by States to combat terrorism should be conducted in conformity with the principles of the Charter, international law and relevant international conventions;

12. *Recalls* the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism,[11] the Amendment to the Convention on the Physical Protection of Nuclear Material,[12] the Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation[13] and the Protocol of 2005 to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf,[14] and urges all States to consider, as a matter of priority, becoming parties to these instruments;

13. *Urges* all States that have not yet done so to consider, as a matter of priority and in accordance with Security Council resolution 1373 (2001) and Council resolution 1566 (2004) of 8 October 2004, becoming parties to the relevant conventions and protocols as referred to in paragraph 6 of General Assembly resolution 51/210, as well as the International Convention for the Suppression of Terrorist Bombings,[15] the International Convention for the Suppression of the Financing of Terrorism,[16] the International Convention for the Suppression of Acts of Nuclear Terrorism and the Amendment to the Convention on the Physical Protection of Nuclear Material, and calls upon all States to enact, as appropriate, the domestic legislation necessary to implement the provisions of those conventions and protocols, to ensure that the jurisdiction of their courts enables them to bring to trial the perpetrators of terrorist acts and to cooperate with and provide support and assistance to other States and relevant international and regional organizations to that end;

14. *Urges* States to cooperate with the Secretary-General and with one another, as well as with interested intergovernmental organizations, with a view to ensuring, where appropriate within existing mandates, that technical and other expert advice is provided to those States requiring and requesting assistance in becoming parties to and implementing the conventions and protocols referred to in paragraph 13 above;

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[11] United Nations, *Treaty Series*, vol. 2445, No. 44004.

[12] Adopted on 8 July 2005 by the Conference to Consider and Adopt Proposed Amendments to the Convention on the Physical Protection of Nuclear Material.

[13] Adopted on 14 October 2005 by the Diplomatic Conference on the Revision of the SUA Treaties (LEG/CONF.15/21).

[14] Adopted on 14 October 2005 by the Diplomatic Conference on the Revision of the SUA Treaties (LEG/CONF.15/22).

[15] United Nations, *Treaty Series*, vol. 2149, No. 37517.

[16] Ibid., vol. 2178, No. 38349.

15. *Notes with appreciation and satisfaction* that, consistent with the call contained in paragraphs 12 and 13 of General Assembly resolution 66/105, a number of States became parties to the relevant conventions and protocols referred to therein, thereby realizing the objective of wider acceptance and implementation of those conventions;

16. *Reaffirms* the Declaration on Measures to Eliminate International Terrorism, contained in the annex to General Assembly resolution 49/60, and the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism, contained in the annex to Assembly resolution 51/210, and calls upon all States to implement them;

17. *Calls upon* all States to cooperate to prevent and suppress terrorist acts;

18. *Urges* all States and the Secretary-General, in their efforts to prevent international terrorism, to make the best use of the existing institutions of the United Nations;

19. *Notes* that the United Nations Counter-Terrorism Centre has commenced its activities within the Counter-Terrorism Implementation Task Force in New York and that the Centre is performing its duties in supporting the implementation of the United Nations Global Counter-Terrorism Strategy, and encourages all Members States to collaborate with the Centre and to contribute to the implementation of its activities within the Task Force;

20. *Requests* the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime in Vienna to continue its efforts to enhance, through its mandate, the capabilities of the United Nations in the prevention of terrorism, and recognizes, in the context of the United Nations Global Counter-Terrorism Strategy and Security Council resolution 1373 (2001), its role in assisting States in becoming parties to and implementing the relevant international conventions and protocols relating to terrorism, including the most recent among them, and in strengthening international cooperation mechanisms in criminal matters related to terrorism, including through national capacity-building;

21. *Welcomes* the current efforts by the Secretariat to prepare the fourth edition of the publication *International Instruments related to the Prevention and Suppression of International Terrorism* in all official languages;

22. *Invites* regional intergovernmental organizations to submit to the Secretary-General information on the measures they have adopted at the regional level to eliminate international terrorism, as well as on intergovernmental meetings held by those organizations;

23. *Notes* the progress made in the elaboration of the draft comprehensive convention on international terrorism during the meeting of the Working Group established by the Sixth Committee during the sixty-seventh session of the General Assembly, and welcomes continuing efforts to that end;

24. *Decides* to recommend that the Sixth Committee, at the sixty-eighth session of the General Assembly, establish a working group with a view to finalizing the draft comprehensive convention on international terrorism and continuing to discuss the item included in its agenda by Assembly resolution 54/110 concerning the question of convening a high-level conference under the auspices of the United Nations;

25. *Also decides* that the Ad Hoc Committee established by General Assembly resolution 51/210 shall, on an expedited basis, continue to elaborate the draft comprehensive convention on international terrorism and to discuss the item included in its agenda by Assembly resolution 54/110 concerning the question of convening a high-level conference under the auspices of the United Nations;

26. *Further decides* that the Ad Hoc Committee shall meet from 8 to 12 April 2013 in order to fulfil the mandate referred to in paragraph 25 above and that its future meetings shall be decided upon subject to substantive progress in its work;

27. *Requests* the Secretary-General to continue to provide the Ad Hoc Committee with the facilities necessary for the performance of its work;

28. *Requests* the Ad Hoc Committee to report to the General Assembly at its sixty-seventh session in the event of the completion of the draft comprehensive convention on international terrorism;

29. *Also requests* the Ad Hoc Committee to report to the General Assembly at its sixty-eighth session on progress made in the implementation of its mandate;

30. *Encourages* all Member States to redouble their efforts during the intersessional period towards resolving any outstanding issues;

31. *Decides* to include in the provisional agenda of its sixty-eighth session the item entitled "Measures to eliminate international terrorism".